

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

SARAH BISWABIC,

Plaintiff,

v.

Case No. 21-C-536

ANDREW SAUL, Commissioner of Social Security,

Defendant.

ORDER DENYING MOTION TO PROCEED IN FORMA PAUPERIS

Plaintiff Sarah Biswabic has filed a complaint seeking review of the decision of the Commissioner of Social Security and has requested leave to proceed *in forma pauperis*, pursuant to 28 U.S.C. § 1915. An indigent plaintiff may commence a federal court action, without paying required costs and fees, upon submission of an affidavit asserting an inability “to pay such fees or give security therefor” and stating “the nature of the action, defense or appeal and affiant’s belief that the person is entitled to redress.” 28 U.S.C. § 1915(a)(1). Plaintiff filed the required affidavit of indigence.

The purpose of the petition is to explain to the Court why the plaintiff’s filing fee should be waived. The law requires litigants to pay a filing fee unless they are too poor to do so. Upon review of the request, it appears that Plaintiff has sufficient funds to pay the filing fee. Plaintiff lists \$5,096.00 in cash, checking, savings, or other similar accounts, as well as substantial equity in her home. The Court also notes that, although the form requests the filer “state the amount you have received from any other source in the last twelve months,” the form is silent regarding receipt of two separate nationally distributed stimulus or Covid-19 relief payments likely received during

that time. Based on this information, Plaintiff does not appear to be indigent. Rather, the motion indicates an ability to pay the full filing fee. Consequently, Plaintiff's motion for leave to proceed without prepayment of the filing fee (Dkt. No. 2) is **DENIED**.

Accordingly, Plaintiff's request to proceed *in forma pauperis* is denied and, absent additional justification regarding why those funds cannot be used to pay the filing fee, Plaintiff shall pay the filing fee within 21 days of the date of this order or risk dismissal. If Plaintiff submits additional justification within that time, the court will reconsider the request.

SO ORDERED at Green Bay, Wisconsin this 30th day of April, 2021.

s/ William C. Griesbach
William C. Griesbach
United States District Judge